

# **Zoning Change Analysis**

**January 14, 2009**

**Z-9-2008**

**Colin Wright**

**5300 South 5600 West**

**M to R-1-4 and MXD**

**16.1 acres**

This application was continued during the public hearing on December 10, 2008. With the exception of the final paragraph and the updated staff alternatives, this staff report was in the last Planning Commission packet. The last paragraph addresses issues raised during the public hearing on December 10.

Colin Wright with Blackridge Development is requesting a zone change for 16.1 acres of a 16.4 acre parcel at approximately 5300 South 5600 West from M (manufacturing) to R-1-4 (residential, single family, minimum lot size 4,000 square feet) and MXD (mixed use). Surrounding zones include R-1-7 to the west and north, R-1-6 to the east in Salt Lake County, and C-2 to the south. Surrounding land uses include single family homes or lots planned for single family homes to the north and west, single family homes to the east, and a convenience store and vacant land to the south. The subject property is designated as medium density residential, general commercial, or mixed use in the West Valley City General Plan. The southeast portion of the property is developed as a Maverik convenience store; hence, this portion of the property was left out of the rezone application.

Up until 4 years ago, all of the property within the City that is east of the West Ridge Golf Course was zoned M. In 2004, the City changed the zoning on the City owned property to the southeast of the golf course from M to R-1-7. This land was then sold to Ivory Homes which Ivory then developed as the Westridge Estates Subdivision.

Attached to this report is a letter from Colin Wright which outlines the reasoning for this application. Also included with Mr. Wright's letter is a memo from UTA which describes the transit upgrade planned along 5600 West.

As described in the memo from UTA, UTA and UDOT have committed to building bus rapid transit (BRT) in dedicated lanes in the center of 5600 West between 6200 South and 2700 South by 2015. Stations for this BRT are planned every mile with a station planned at the intersection of 5600 West and 5400 South. The Wasatch Front Regional Council's regional transportation plan includes BRT along 5400 South by 2030. The subject property is currently serviced by bus route 54, which runs along 5400 South and connects with the 5300 South TRAX station, and by bus route 356, a fast bus with limited stops and park & ride lots that runs along 5600 West and goes to downtown Salt Lake.

## Development Plan

A copy of the development plan is attached. The concept includes five different types of uses. The R-1-4 portion of the project is designed very similar to the parkside home concept Ivory Homes is proposing in Highbury and has built in Daybreak. Building Types A and B are three story senior

apartments with Building A having one space for an office or retail tenant on the ground floor. An elevation for Building Type A is attached. There are three Building Type C buildings which are three story, 24 unit apartments. An elevation for Building Type C is attached. Commercial Parcel 1 is reserved for retail or office space. Commercial Parcel 2 is reserved for office space. The proposed mix of uses within the MXD Zone meets the requirement that states: “No one category of uses (including residential) may occupy more than 75 percent of the total floor area.” Also attached to this report is an illustration of the proposed entrance features.

### Project Evaluation

The MXD Zone is unique in that it requires a significant amount of project information before a property can be zoned MXD. In Section 7-6-1502 of the Zoning Ordinance is a list of project evaluation criteria. The Section states: “All development proposals for the MXD Zone shall be evaluated based on their compatibility with:

- The West Valley City General Plan
- The purpose and characteristics of the MXD Zone
- Sound planning practices
- Surrounding land-uses
- All other City-approved studies”

The stated purpose of the MXD Zone is to: “facilitate the integration of diverse but compatible uses into a single development, with the goal of creating a community that offers ‘live, work, and play’ opportunities within convenient walking distance of each other.” The ordinance also states:

“Developments within an MXD Zone shall exhibit urban characteristics such as:

- Minimal building setbacks
- Large parkstrips and sidewalks
- Community gathering spaces
- Shared parking
- Integrated public transit
- Diverse and distinctive design features”

Once a property is zoned MXD, the uses outlined in the development plan are reviewed as a permitted use unless otherwise stated in a development agreement.

### Applicable Ordinances

Given the blend of uses proposed and the location of the project, several ordinances apply to this property. These ordinances include transfer of development rights (TDR) for the residential portion of the project, planned unit development (PUD) for the single family detached portion, commercial design standards for the office and retail portion, multi-family design standards for the two types of apartments, single family design standards for the single family detached portion, overpressure zones for the entire project, MXD Zone standards for everything except the single family portion, and standards for landscaping along high-image arterial streets along 5600 West and 5400 South.

### Development Agreement

When blending several uses into one project, attention to detail is important. Staff has been working with the applicant to develop a detailed development agreement. A draft of this agreement, entitled “Exhibit B – The Villages at Westridges”, is attached.

### Issues Raised During December 10<sup>th</sup> Public Hearing

There were essentially three main issues raised during the public hearing on December 10<sup>th</sup>. Each of these issues is listed below in italics together with staff's response to each.

- *Should 5675 West stub street to the north be extended through the development and connect with 5400 South?* As mentioned during the study session, staff believes that making such a connection is not essential for traffic flow and would likely cause problems with the neighbors to the north. The applicant is not opposed to changing the development plan to show the connection.
- *Is this really a mixed use project?* As discussed above, the portion of the project proposed for the MXD Zone does meet the use mix required. Also, as was discussed in study session during the UTA presentation on transit-oriented development (TOD), each TOD project is unique and should factor in the size of the project and what surrounds it. Some TOD projects are mostly residential. A large amount of commercial at this location is a challenge due to: 1) the 25 acre, Walmart anchored center with about 225,000 square feet of commercial one mile to the south, 2) the 22 acre, Smiths and Lowes anchored center with about 210,000 square feet of commercial two miles to the north, and 3) the large commercial center in Kearns and Taylorsville two miles to the east on 5400 South.
- *Is the density proposed too high for this location?* For a TOD project with planned BRT service on both 5600 West and 5400 South, the proposed density is actually on the low end of what is recommended from a transit standpoint. In addition to the existing and proposed transit service, additional considerations for some higher density residential at this location are it is located on the corner of two arterials and it will be about one mile east of a Mountain View Corridor interchange.

### **Staff Alternatives:**

- Approval of the zone change subject to the standards in the development agreement.
- Approval of the zone change subject to the standards in the development agreement with the exception that item 5 under the Entire Neighborhood section be removed and the development plan (Exhibit C) be modified to show a public street connection from the 5675 West stub street to 5400 South. The revised development plan shall be reviewed by the Planning Commission in a study session before this application is forwarded to the City Council for their review.
- Continuance to address issues raised during the public hearing.
- Denial, the development should contain less residential and more office and retail.